

TANNENBAUM HELPERN SYRACUSE & HIRSCHTRITT LLP

900 THIRD AVENUE

NEW YORK, NEW YORK 10022-4775

(212) 508-6700

FACSIMILE: (212) 371-1084

Writer's Direct Dial: (212) 702-3167

Writer's Direct Fax: (646) 390-6857

E-mail: berger@thsh.com

September 25, 2013

Honorable Katherine B. Forrest  
U.S. District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1950  
New York, NY 10007

Re: *William B. Westwood v. Men's Medical New York, P.C. and Lawrence M. Smiley* 13 Civ. 6641 (KBF)(SN)

Dear Judge Forrest:

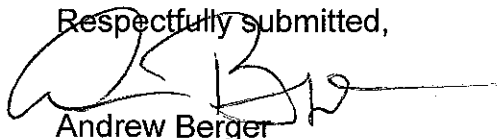
This firm represents plaintiff *William B. Westwood* in the above-referenced action. I am lead counsel. I write to respectfully request that the Court adjourn the Initial Pretrial Conference ("IPTC") scheduled for November 14, 2013 at 1:30 pm.

The reason for the request is I will be attending the day before (on November 13) in the United States District Court for Southern District of California in San Diego a court-ordered Early Neutral Evaluation in *McDermott v. Palomar et al.*, 13 Civ. 01952 MMA-JMA. I will then return to New York either late in the day on November 13) (on the red eye) or on the morning of November 14. In either case it will be difficult, if not impossible, for me to also attend the IPTC in New York now scheduled for November 14.

I propose the Court adjourn the IPTC to either November 18, 19, 20 or 21, whatever date and time is most convenient for the Court. Defendants have not yet appeared through counsel. Therefore I am unable to confirm these proposed adjourned dates with them. This is the first request I have made for an adjournment of the IPTC.

We thank the Court for its consideration of this request.

Respectfully submitted,



Andrew Berger

cc: Men's Medical New York, P.C. (by hand)  
Lawrence M. Smiley (by hand)